

CITY COUNCIL, CITY OF LODI  
COUNCIL CHAMBER, CITY HALL  
APRIL 3, 1957

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, April 3, 1957; Councilman Fuller, Hughes, Katzakian, Robinson, and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

CITY PLANNING COMMISSION

FINAL MAP           The proposed final map of Rodine Square Subdivision  
RODINE SQUARE      was presented to the City Council for consideration  
SUED.               and approval. Councilman Robinson stated that he  
                     still objected to the dead-end street, however he  
                     would not object to the acceptance of the map. On  
                     the motion of Councilman Katzakian, Hughes second,  
                     the final map of Rodine Square was approved and the  
                     Mayor was authorized to sign on behalf of the City.

COMMUNICATIONS

ABC LICENSE        Application for transfer of Alcoholic Beverage  
                     License for wholesale Beer and Wine for Fred L.  
                     Muther, Regal Pale Distributing Company of Lodi.

ABC LICENSE        Application for transfer of Alcoholic Beverage  
                     License for On Sale General to Byron E. Costa and  
                     Raymond L. Costa, Town & Country, 113 N. Cherokee  
                     Lane.

DAIS BUILDING      Letter from Mr. John Dais, requesting a building  
PERMIT REQUEST     permit for the construction of a dwelling at 112  
                     West Tokay Street. Mr. Dais has purchased a par-  
                     cel of land which has recently been zoned R-4  
                     because the parcel was too small to meet with  
                     various requirements for a more restrictive zone.  
                     Mr. Dais learned after his purchase that a power  
                     line ran across the property. He requested a  
                     building permit to construct a dwelling under  
                     the power line. A memorandum from the Superin-  
                     tendent of Utilities explained that this power  
                     line has been in place for many years and pro-  
                     vides power for a large section of the community.  
                     He also reported that the Telephone Company was  
                     a part owner in the line and had informed him  
                     that they would be unable to approve the construc-  
                     tion of a dwelling under their line. Council-  
                     man Robinson stated that he had examined the  
                     situation on the ground and it was his opinion  
                     that the Council would not be doing a favor for  
                     either Mr. Dais or the public if it were to  
                     authorize the building permit. The City Attorney  
                     advised the City Council that the City was within  
                     its legal rights in maintaining the power line  
                     and from a legal standpoint the buyer of the  
                     property must be presumed to be aware of the  
                     presence of the facilities, inasmuch as they  
                     are above the ground and visible. The request  
                     was denied on the motion of Councilman Hughes,  
                     Robinson second.

BOARD OF EQUAL-    A letter from the Board of Equalization, dated  
IZATION LETTER     March 19, 1957, informing the Mayor that the  
OF THANKS          Bradley-Burns Uniform Sales Tax Act has been in  
                     effect for ten months. The Board extended its  
                     thanks to the city officials of Lodi for their  
                     cooperation in ordering the Board to carry out its  
                     responsibilities for the administration of the  
                     Act.

HOGAN DAM  
APPROPRIATION  
  
RES. NO. 2014  
ADOPTED

A letter from Mr. Marshall Dunlap, City Engineer of the City of Stockton, requesting a new resolution from the City Council urging Congress to appropriate \$500,000.00 for engineering studies of the new Hogan Dam. It was recalled that Resolution No. 1902 adopted by the City Council February 1, 1956, had urged study for the new Hogan Dam. Resolution No. 2014, urging appropriation of \$500,000.00 in the current Federal Budget, was adopted on the motion of Councilman Robinson, Fuller second.

BLAZER ANNEXATION  
  
RES. NO. 2015  
ADOPTED

The City Clerk then read a petition from Flora M. Blazer, Rt. 3, Box 25, Lodi, requesting the annexation of a one half acre parcel on West Lodi Avenue. Resolution No. 2015, declaring the intent of the City Council to annex the Blazer property and setting the matter for public hearing on May 15, 1957, was adopted on the motion of Councilman Robinson, Katzakian second.

FAITH TABERNACLE  
ANNEXATION  
  
RES. NO. 2016  
ADOPTED

The City Clerk then presented a petition from the Faith Tabernacle Church for the annexation of church property on the west side of Loma Drive. The 63-foot parcel owned by the church extends westward to Mills Avenue. On the motion of Councilman Robinson, Katzakian second, the Council adopted Resolution No. 2016, declaring its intention to annex the property and setting the matter for hearing on May 15, 1957.

WAGES - CONSTRUCTION TRADES

A letter from the Associated General Contractors of America, Inc., informing the City Council that the Northern California Chapter of the A.G.C.A. is beginning negotiations with the construction unions for new wage and working condition contracts. The letter points out that the members of the Association are under a great deal of pressure from unions to increase wages. They request support and the influence of the City Council in their efforts to do everything possible in the public interest.

REPORTS OF THE CITY MANAGER

USE OF LODI  
SPORTSMAN'S CLUB  
PROPERTY

The City Manager reported that he had received a letter from the Lodi Sportsman's Club, requesting that the City cease use of the Club's property on the South bank of the Mokelumne River adjoining the City's disposal area. The Club then requested that in return for future use of the property the City agree to the removal of fill from the City-owned property to the property owned by the club, and that the City sign a lease agreement from the club at a lease price of \$60 a month. Mr. Weller stated that the letter did not conform to the request from the Council at its meeting of March 20, 1957. It is his understanding the request from the Council was for a letter explaining the plans of the Sportsman's Club, after which a meeting could be scheduled between the Council and the Club for the purpose of discussing the mutual problems. Councilman Robinson stated he did not think the City Council should take action on the club's request until it could receive a complete written report.

Councilman Hughes stated he believed the City Manager should investigate the matter thoroughly before action is taken. On the request of the Mayor, Mr. Jim Wood stated from the audience that members of the club would be happy to talk to Mr. Weller and it was his belief that they had complied with the wishes of the Council in the letter they submitted. He stated the Sportsman's Club still intends to build a rifle range or club house on the two acres site. On the motion of Councilman Katzakian, Fuller second, the Council voted to authorize the City Manager and the City Engineer to meet with the Sportsman's Club to work out a solution for the use of the Club's property. Councilman Robinson stated he was happy to hear Mr. Wood bring up the subject of a rifle range. He stated he would like to have a report on the possibility of a joint rifle range. He was very interested in the joint development and operation of a rifle range for the City of Lodi. The City Attorney stated he would object to the proposal of a joint operation for a rifle range. He stated if a rifle range were developed it should be run by the City or by the Club with a lease by the City. Councilman Robinson stated he was not particularly interested in the mechanics of operation, but he would like to see the subject of a rifle range rejuvenated.

BLAIR WATER  
SERVICE RE-  
QUEST

The City Manager reported he had received a memorandum from the Superintendent of Utilities stating that Mr. Richard Blair requests water service to his property on Myrtle Road. This property is outside of the City limits, but can be served by a city water main. Mr. Weller reminded the Council that similar requests from the adjoining property owners have been granted in the past on the basis that the taps would relieve the pressure from the City's water line at this point, thereby being of benefit to the City. However, he was not certain that additional taps would be of further value. The City Attorney stated that due to the relocation of certain industries as a result of the State Highway 99 by-pass, the development of land east of the City for industrial purposes is quite possible. He suggested that the granting of City utility service outside the City might impede the development and annexation of this territory later. The City Manager suggested that he could check further with the Superintendent of Utilities to determine what value the additional tap would be to the City. On the motion of Councilman Katzakian, Robinson second, the Council voted to hold the matter over to the next meeting for report from the Superintendent of Utilities.

RED ZONE ELIM-  
INATED ON  
STOCKTON BETW.  
ELM & LOCUST  
STS.

RES. NO. 2013  
ADOPTED

The City Manager read a recommendation from the City Engineer for the removal of the red zones on Stockton Street between Elm and Locust Streets. The City Manager stated that since the City Council had taken action to require parallel parking in this block the red zones were no longer necessary for traffic safety. He stated the Chief of Police concurred with this recommendation. On the motion of Councilman Fuller, Hughes second, the Council adopted Resolution No. 2013, to eliminate the red zones on Stockton Street between Elm and Locust Streets.

PURCHASE OF SUR-  
PLUS PROPERTYRES. NO. 2012  
ADOPTED

The City Manager reported that surplus property from the Federal Government is available for cities to purchase through the Civil Defense Program. In order for the City to take advantage of this program it is necessary to adopt a standard form resolution requesting permission to purchase the surplus property. Resolution No. 2012, requesting the authority to purchase surplus property and appointing the Finance Director as the official representative of the City, was adopted on the motion of Councilman Katzakian, Hughes second.

PERSONNEL RULES  
AND REGULATIONS  
AMENDEDRES. NO. 2010  
ADOPTED

The City Manager reported that as a result of the Council's recent action in reducing the work week of the Police Officers to 40 hours, it will be necessary to amend the personnel rules and regulations of the City of Lodi. On the motion of Councilman Katzakian, Robinson second, Resolution No. 2010 was adopted amending the personnel rules and regulations for the City.

WITHDRAWAL OF 64TH  
ADD. FROM W.R.F.P.D.  
RES. NO. 2011  
ADOPTED

Resolution No. 2011, declaring the withdrawal of the 64th Addition from the Woodbridge Rural Fire Protection District, was adopted on the motion of Councilman Katzakian, Robinson second.

## CLAIMS

Claims in the amount of \$116,169.39 were approved on the motion of Councilman Robinson, Katzakian second.

PLANNING DIRECTORS  
ATTENDANCE AT COUN-  
CIL MEETINGS

Mayor Mithell stated that he had intended to have Mr. George Rodgers, newly appointed Planning Director for the City of Lodi, present at this meeting in order that he might be introduced to the members of the City Council. He expressed his regret that arrangements were not made for his attendance at this meeting. Councilman Robinson stated he felt it was a good idea to have the Planning Director attend some of the meetings of the City Council to audit Council action on Planning matters.

WARNERDAM DRIVE-  
WAY REQUEST

The City Manager read a request from Mr. Warmerdam for a 20-foot extension of his driveway at the Southeast corner of Lodi Avenue and Garfield Street. On the motion of Councilman Robinson, Fuller second, the Council voted to grant permission for a 46-foot driveway as requested by Mr. Warmerdam.

AMEND EMDE LEASE  
AGREEMENT FOR  
303 ACRES

The City Manager reported that he had received a request from Mr. George Emde, the lessee of the City's 303 acres disposal area, for an amendment to the present lease agreement to authorize four equal quarterly payments instead of the present requirement of one annual payment in advance. Mr. Weller reported that this would be of no disadvantage to the City of Lodi, but he felt it would make it easier for Mr. Emde to meet his obligation to the City of Lodi. On the motion of Councilman Fuller, Hughes second, the City Council authorized the amendment of the lease to provide for four equal quarterly payments and to authorize the City Manager to execute a new contract with Mr. Emde.

MEAT SALES ORD. Mayor Mitchell then called for the adoption of Ordinance No. 586, repealing the City's Ordinance controlling hours for the sale of fresh meat. Mr. Maynard Smith, addressed the City Council as a member of the Cattleman's Association. He stated his organization urged the repeal of the Ordinance. Councilman Katzakian stated that he had received one call from a butcher who requested that the ordinance remain in effect. This individual indicated that repeal would work a hardship on butchers who might be required to pay overtime to their employees. Councilman Robinson stated that he had been contacted by several people opposing the repeal of the meat ordinance. He reported that he had invited them to attend the meeting, and present their views to the City Council. He stated it was his opinion that since they were not in attendance that "silence gives consent". Ordinance No. 586, ENTITLED, "AN ORDINANCE REPEALING ORDINANCE NO. 271 ENTITLED, 'AN ORDINANCE REGULATING THE HOURS OF BUSINESS WHEN AND THE PLACE OF BUSINESS WHERE, UNCURED AND UNCOOKED MEATS MAY BE SOLD, OFFERED FOR SALE, RECEIVED OR DELIVERED, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", having been introduced at the March 20, 1957 meeting, was brought up for passage on the motion of Councilman Hughes, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell  
 NOES: Councilmen - None  
 ABSENT: Councilmen - None

Ordinance No. 586 was then signed by Mayor Mitchell in approval thereof.

ANNEXATION OF SOUTHERN BAPTIST CHURCH ORDINANCE NO. 587, ENTITLED, "APPROVING THE ANNEXATION OF THE SOUTHERN BAPTIST ADDITION, TO THE CITY OF LODI AND DECLARING THAT THE SAME IS ANNEXED TO AND MADE PART OF THE CITY OF LODI", having been introduced at the March 20, 1957 meeting, was brought up for passage on the motion of Councilman Hughes, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell  
 NOES: Councilmen - None  
 ABSENT: Councilmen - None

Ordinance No. 587 was then signed by Mayor Mitchell in approval thereof.

LOTS 16 AND 17 CRESCENT MANOR REZONED ORDINANCE NO. 588, ENTITLED, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 16 AND 17 OF CRESCENT MANOR SUBDIVISION TO BE IN THE R-4 RESIDENTIAL DISTRICT",

ORD. NO. 588  
ADOPTED

having been introduced at the March 20, 1957 meeting, was brought up for passage on the motion of Councilman Fuller, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 588 was then signed by Mayor Mitchell in approval thereof.

REZONE POR. OF  
BLK. 1, STURLA  
SCHOOL ADD.

ORD. NO. 589  
ADOPTED

At the question of the adoption of Ordinance No. 589, Rezoning a portion of Block 1, Sutrla School Addition, Councilman Katzakian informed the City Council that he had personal interest in the matter and he would therefore withdraw from discussion or voting on the matter. ORDINANCE NO. 589, ENTITLED, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LOSI AND THEREBY REZONING LOTS 3, 7, 8, 9, AND 10, IN BLOCK ONE OF STURLA SCHOOL ADDITION TO BE IN THE C-1 COMMERCIAL DISTRICT," having been introduced at the March 20, 1957 meeting, was brought up for passage on the motion of Councilman Robinson, Hughes second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Robinson and Mitchell

NOES: Councilmen - None

ABSTAIN: Councilmen - Katzakian

Ordinance No. 589 was then signed by Mayor Mitchell in approval thereof.

LEE AVE. SIDE-  
WALK INSTALLA-  
TION REQUESTED

Councilman Robinson stated that he now believed the attention of the City Engineer should be directed to securing the installation of sidewalk along the east side of Lee Avenue just south of Chestnut Street. He stated he had received many complaints, because of the necessity of children attending school to detour along the street at this point.

COMPLETION OF  
ANIMAL SHELTER

The City Manager reported that the animal shelter is nearing completion. He stated that it had been suggested that the facilities be open to the public before being put to use by the poundmaster. It was then agreed to hold an open house at the animal shelter to be scheduled for 2:00 p.m., April 12, 1957. He suggested that interested parties be invited for an informal dedication ceremonies at this time. Councilman Robinson suggested that the open house be extended to include a tour of the sewage disposal areas, since the City has recently spent a large sum of money increasing and bettering the facilities.

On the motion of Councilman Katzakian, Robinson second, the Council voted to execute a notice of completion of the Lodi Small Animal Shelter.

HOUSTON PROP-  
ERTY EXCHANGE

The City Attorney reported that he had been in contact with the State Division of Highways who report that it would be four to six weeks before the Division will be prepared to present the City with a description of the proposed frontage road between Pine Street and Victor Road. Mr. Mullen stated that completion of the property exchange with Mr. Houston would necessarily be delayed until the information was received from the Division of Highways.

ED KUNDERT,  
NEGOTIATOR FOR  
DOWNTOWN PARK-  
ING PROPERTY

The City Attorney reported that he and Mayor Mitchell had contacted Mr. Ed Kundert who agreed to act as the City's negotiator for the City's acquisition of property for the Downtown Parking District. He stated that it was customary to allow one percent of the sales price as compensation for the work of the negotiator. This sum would be paid out of money received from the sale of bonds. Mr. Mullen stated he was quite certain Mr. Kundert agreed to undertake this job primarily as a matter of public service, despite the fact that he would receive some compensation. He pointed out that the role of the negotiator is a very important in the proceedings. On the motion of Councilman Katzakian, Fuller second, the Council voted to give a contract to Mr. Ed Kundert to act as negotiator for the City for one percent of the sale prices. Councilman Katzakian suggested that a letter be sent to Mr. Kundert thanking him for accepting the job with the City.

GEORGE M.  
HUGHES ELECTED  
MAYOR

Mayor Mitchell then opened the meeting for nominations for the office of Mayor. Councilman Katzakian submitted the nomination of Councilman Hughes for Mayor. Councilman Robinson then moved, Fuller second, that the nominations for the office of mayor be closed and that Councilman Hughes be elected Mayor by acclamation. The motion was passed by unanimous vote.

KATZAKIAN  
ELECTED MAYOR  
PRO-TEM

Councilman Robinson then moved, Hughes second that Councilman Katzakian continue in the office of Mayor pro-tem. The motion was adopted by unanimous vote.

REMARKS OF  
MAYOR HUGHES

Mayor Hughes then took his position as Mayor and presiding officer of the City Council. He stated that he would like to see the City Council re-check its policies and procedures during the coming year. He stated he could not overstress importance of the relationship between the City Council and the City Manager. It was his observation that experience in the City of Lodi has clearly demonstrated that where policies are clearly established by the City Council and the execution of these policies is undertaken by the City Manager and the City Administration, the affairs of the City are conducted in an orderly and efficient manner. He also expressed the hope that during the coming year the Council could approach its problems with the full understanding of what the problems are and devote its meeting to finding the solution. He stated that when

the problems are well understood, the solution is easier to reach and more valuable from the standpoint of public benefit. He then asked that each of the Councilmen prepare his own list of items that need action by the City Council. He asked that these lists be prepared without regard to priority. He then requested that the City Manager also prepare such a list but that in the case of the City Manager the items be presented in the order of priority. He suggested that the Council in this way take inventory of matters which require Council action. After this, the City Manager can submit a recommendation to the City Council after which the Council could take action at a special meeting. It was his hope that in this way the Council would have an understanding of the problems facing the City Council and be in a position to schedule the work loads for the coming year. He pointed out that the City Council is a body interested in the everyday lives of its citizens. He felt that the appointed commissions of the City and the City employees have been doing a very fine job and should be commended for their efforts. The solution to City problems he felt requires the attention and interest of many people in the community. He stated that the City of Lodi is not ours to keep, but for others to inherit. This standpoint should guide our actions.

He then commended Mayor Mitchell for his accomplishments during the past year, particularly those problems on which the Council will be working during the coming year. He also stated that it was his feeling that the Mayor of a City should express his confidence in the form of government which he serves. He felt that in the case of the City of Lodi he had perfect confidence in the Council-Manager form of government and the personnel involved in conducting the City's government. He promised conscientious effort on his part to assist the City Manager whenever possible.

Councilman Mitchell complimented Mayor Hughes on his remarks and stated he wished to thank each Councilman for the understanding and confidence they had extended to him during the past year. He also thanked the City Manager, City Clerk, and the City Attorney for the assistance he had received from them during his term of office.

KATZAKIAN APPOINTED  
TO PLANNING COMM.

DON WOOD DEED

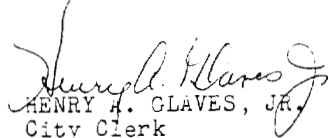
Mayor Hughes then appointed Councilman Katzakian to serve as the Council's representative on the City Planning Commission.

City Attorney Mullen explained to the City Council that several years ago the City had found it necessary to work out an exchange of property with Mr. Don Wood for a well site involving a portion of Mr. Wood's property. The formalization of the exchange has been delayed for some time, but he has now received a contract signed by Mr. Wood and thought the



matter should now be completed by action of the City Council.. Councilman Mitchell then moved, Katzakian second, that the Mayor be authorized to sign the necessary documents to convey property to Mr. Wood as outlined in the contract. The motion was passed by unanimous vote.

The meeting was then adjourned at 10:25 p.m. on the order of the Mayor.

ATTEST:  HENRY A. GLAVES, JR.  
City Clerk